



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mary Ann D. Brow *et al.*
Serial No.: 08/520,946
Filed: 08/30/95
Entitled: Rapid Detection And Identification Of Pathogens

AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: November 2, 1998 By: Kamrin MacKnight
Kamrin MacKnight

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | RATE | ADDITIONAL FEE |
|-----------------------|-------------------------------------|---|---------------------------------------|------------------|---|-------|-------------------|
| Total Claims | 44 | — | 52 | 0 | × | 22.00 | \$0.00 |
| Independent Claims | 3 | — | 3 | 0 | × | 82.00 | \$0.00 |

SUBTOTAL \$0.00

Small Entity 50% Filing Fee Reduction — \$0.00

TOTAL DUE \$0.00

1. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: November 2, 1998

By: Kamrin MacKnight
Kamrin T. MacKnight
Registration No. 38,230

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Application/Control Number: 08/520,946

Art Unit: 1636

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Casimir, Esq. on August 9, 2001.

2. The claims have been amended as follows:

3. 1. (Three times amended) A method of comparing cleavage products comprising the steps of:

a) providing:

i) an enzymatic cleavage means;

ii) a test nucleic acid substrate containing sequences [derived] from

one or more microorganisms; and

iii) control cleavage products produced by cleavage of a reference nucleic acid [derived] from a reference microorganism;

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